

## NIH TRAVEL POLICY

### **1500-06-00 Local Travel**

This directive provides NIH policy for the reimbursement of expenses when employees travel or conduct official business either at, or in the vicinity of the official duty station area.

### **1500-06-01 Per Diem Allowances in the Local Travel Area**

**A. General.** The Federal Travel Regulation provides authority for Agencies to define a local radius for temporary duty travel either at, or in the vicinity of the official duty station within which per diem will not be allowed. The policies and procedures contained in this section (1500-06-01) apply to: 1) Employees; 2) Staff (i.e., non-FTE persons); 3) Commissioned Officers; and 4) Invitational Travelers.

### **B. Definitions.**

**Employee** – “An individual employed by an agency, regardless of status or rank; an individual employed intermittently in Government service as an expert or consultant and paid on a daily when-actually-employed (WAE) basis; or an individual serving without pay or at \$1 a year (also referred to as an “invitational traveler”. (FTR 301-1.2)

**Invitational traveler** – An individual either not employed or employed intermittently in the Government service as a consultant or expert and paid on a daily WAE basis or an individual serving without pay or at \$1 a year when they are acting in a capacity that is directly related to, or in connection with, official activities of the Government. (FTR 300-3.1)

**HHS local travel area** - The greater of the corporate limits of the city or town in which the employee is stationed or a minimum radius of 50 miles from BOTH the employee’s official duty station and residence.

**Per diem allowance** - A per diem allowance (also referred to as a subsistence allowance) is a daily payment instead of reimbursement for actual expenses for lodging, meals, and related incidental expenses. The per diem allowance is separate from transportation expenses and other miscellaneous expenses (See FTR 300-3.1).

**Training** - The process of providing for or making available to an employee and placing or enrolling the employee in a planned, prepared and coordinated program, course, curriculum which will improve individual and organizational performance and assist in achieving the agency's mission and performance goals. (5 USC 4101).

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**C. Policy.** The following guidelines will apply when travel is performed in what has been defined as the local travel area.

1. **No per diem allowed.** Per diem will **not** be allowed for employees at either their official duty stations or within the vicinity of their places of abode from which they normally commute daily to their official duty stations.

2. **No per diem allowed.** HHS Travel Manual Chapter 4-20-10 states, “The official duty station or area within which per diem will **not** be paid is the greater of the corporate limits of the city or town in which the employee is stationed or a minimum radius of 50 miles from BOTH the employee’s official duty station and residence”.

3. **Employees in field offices.** The authority to establish the local travel area for employees in the field has been delegated to the appropriate HHS Regional Administrative Support Center. In those instances where the local travel area has been established, the local area may not have a radius less than 50 miles. (For additional information, you can contact the Director of Operations, Program Support Center in the applicable Region listed in the back of the DHHS Telephone Directory)

4. **Comptroller General ruling.** As a general rule, the Comptroller General (CG) has opined that appropriated funds may not be used to pay per diem in the form of “**free food**”. Free food includes meals, snacks, and light refreshments at the employee’s official duty station, even if authorized by Government officials. This rule applies regardless of how the “free food” is paid for, i.e., procurement or travel mechanism, and applies even where the expenses are incurred under extraordinary circumstances such as:

- a) Late conference sessions;
- b) Heavy volume of work;
- c) Adverse weather conditions;
- d) Protective missions by security personnel; or
- e) Inability to leave duty post.

**Exception to CG Ruling:** In line with certain activities and functions, the use of appropriated funds and gift funds may be authorized for the provision of meals and/or light refreshments at the employee’s official duty station **when specific parameters are met** as outlined in NIH Manual Chapter 1160-1 “Entertainment”.

5. **Limited circumstances.** Under very limited circumstances the CG has allowed reimbursement of expenses incurred by protectors of life and Federal property in an emergency situation. The CG has also ruled that reimbursement for out-of-pocket

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expenses could be made on an actual expense basis (not to exceed the per diem rate limitation) when the determination is made that they are necessary training expenses under the Government Employees Training Act (GETA).

**6. NIH special exemption.** A special exemption has been granted to NIH by DHHS to authorize per diem or subsistence either at, or in the vicinity of the official duty station for Advisory Council and Committee members and other experts whose appointments are limited to specific meetings or groups of meetings.

**7. Other Exceptions.** You may be authorized a per diem allowance for travel in the local area in line with the following guidelines:

- a. If you are authorized to travel under the Government Employees Training Act (5 U.S.C. 4109) and you meet these conditions:
  - 1) The event must meet the definition of “training” as highlighted above; AND
  - 2) A determination is made that the providing of meals is necessary to achieve the objectives of the training program; AND
  - 3) That **all** participants attending the course have been required by NIH to stay in the same local hotel in order to foster the participation in daytime and evening training activities as a necessary training expense.

**Note: Payment of travel and related expenses under 5 U.S.C. 4109 includes “Conference Training” but only if the conditions outlined in both, 5 CFR 410.404 and C(7)(a) above, are met.**

b. In order to be eligible for a per diem allowance (meals only) in line with travel to a non-government sponsored conference in the local area, i.e., 50 miles or less from BOTH the employee’s official duty station and residence to the temporary duty site, you must be in travel status for more than 12 hours. The 12 hours should take into account the time it takes to travel from the employee’s residence or official duty station to the temporary site and return to the residence or official duty station. Example: If an employee leaves their home at 7:00 a.m. to travel to the temporary site for a meeting that begins at 8:00 a.m. and ends at 7:00 p.m., and they would return home at 8:00 p.m., the total travel time would be from 7:00 a.m. until 8:00 p.m., or 13 hours.)

**8. Temporary Duty (TDY) Travel Order.** When a per diem allowance is authorized in line with travel in the local area, you must prepare a TDY Travel Order via the automated travel system. This should occur even if lodging is not required to better ensure compliance with the pertinent Internal Revenue Service regulations.

**D. Delegations of Authority.** NIH Manual Issuance 1130 - Delegations of Authority,

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Travel #3A

### 1500-06-02 Transportation Allowances

**A. Allowable Reimbursement.** Employees who perform temporary duty travel within the local area may claim transportation expenses under the following conditions set forth by the Federal Travel Regulations:

**1) *Local transit systems.*** Employees may claim expenses incurred while taking local transit systems to and from official business.

- a) Taxis may be claimed if the employee does not have a Government (GSA) vehicle available and/or a Government provided shuttle, or the METRO could not be used.
- b) METRO/subway or bus may be claimed to and from the temporary duty location. If the employee normally uses the METRO system for their daily commute, **only the excess cost** above and beyond their daily commute cost may be claimed.

**2) *Privately owned vehicle (POV).*** Mileage and parking expenses for the use of a privately owned automobile may be reimbursed if a GSA vehicle or Government provided shuttle was not available, or the METRO system could not be used. If the employee normally uses their vehicle for the daily commute, **only the miles in excess** of those usually traveled are claimed as expenses.

**B. Receipts.** Receipts are required for reimbursement of all transportation expenses over \$75 incurred during official business travel in the local area.

### 1500-06-03 Other Reimbursable Expenses

**A. Registration Fees.** Payment of registration fees for conferences held within the designated local travel area may be authorized prior to attendance. Methods of payment are the same as those outlined in NIH Manual Issuance 1500 Chapter 04-07). If the registration expense is initially borne by the traveler, claim for reimbursement will be displayed on the Local Travel Voucher.

**B. Local Telephone Calls.** When an employee performs temporary duty in the local area, he or she is permitted to make a brief daily call to locations within the local commuting area to: 1) speak to spouse or minor child to see how they are; 2) advise family of change in schedule; 3) arrange for emergency repairs to residence or automobile; and 4) make other necessary business-related telephone calls, including long distance telephone calls. These calls can be

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claimed for reimbursement. NOTE: The NIH Telephone Calling Card should be the first alternative for placing a long distance telephone call.

**C. Vouchering Local Travel Expenses.** Employees who wish to claim expenses incurred while performing official business away from the permanent duty station in the local area must process the automated version of the “Local Travel Voucher” (formerly SF-1164 “Claim for Reimbursement for Expenditure on Official Business”) through the NIH Administrative Database (ADB) system. The administrative officer or budget officer responsible for certifying funds and the traveler are required to sign the completed form. Direct deposit reimbursement is made to the traveler’s designated financial institution.

**1500-06-04 Non-Government Meetings in Local Area (HHS-99 “Authorization to Attend Non-Government Sponsored Meetings”)**

**A. General.** NIH may authorize attendance and approve reimbursement of expenses incurred in connection with domestic non-governmental meetings, and unofficial international meetings held in the United States which **do not** require travel outside the local permanent duty station area (See NIH Manual Issuance 1130 - Delegations of Authority, Travel #5).

**B. Non-Governmental Organization.** A non-governmental organization is one that is not a Federal, State, local, foreign government, or an intergovernmental agency. The non-governmental character of an organization is not altered by the fact that it is composed partially or exclusively of members who are also Government employees.

**C. Policy on Attendance at Meetings.** In accordance with Department policy (HHS Travel Manual Chapter 1-40-30), the authorizing official should consider the following criteria in determining whether or not attendance at meetings is appropriate:

**1) *Official purpose.*** Attendance is for official purposes and is consistent with the policies and best interests of the Department and NIH.

**2) *Advantageous to the Government.*** Attendance is concerned with an authorized departmental program or with an activity in which the Department has an interest, and it would be advantageous to the Government to have one or more representatives in attendance.

**3) *Number attending.*** The number of representatives does not exceed the minimum necessary to serve the Department’s interest.

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**4) Expenses.** Expenses for attendance are fully justified and in accordance with local travel policies.

#### **D. General Requirements.**

**1) Form HHS-99, “Authorization to Attend Non-Government Sponsored Meeting”,** is used to authorize attendance at a domestic meeting, conference, or similar function in the local area that is sponsored by a non-governmental organization. Form HHS-99 shall be used for:

- a) Individual meetings when the attendance of one or more persons is involved, and
- b) When several different meetings are to be attended during a given period by the same individual or group of individuals provided the attendees will not be in travel status outside the local area.

**2) Requesting attendance.** Authorization to attend a meeting should be requested on the HHS-99 form at least 15 calendar days prior to the meeting. The approved HHS-99 form should be retained as proof that the employee has been authorized to be absent from his/her regular post of duty for the purpose of attending a meeting. In instances where non-travel status expenses are incurred, the HHS-99 must support the claim for reimbursement. For instructions on completing the form HHS-99, consult HHS Travel Manual Chapter 1-40-40 or the NIH Travel Course Handbook.

**3) Processing claims.** Claims for expenses incurred while traveling to authorized non-governmental meetings in the local area are processed on the automated version of the SF-1164, ADB system Local Voucher and approved by the administrative officer or budget officer with funding authority. The HHS-99 “approved” form is attached to the voucher and retained in the official travel files.